

REMARKS

Claims 14, 16, 17, 20-22, 24, 26 and 28 are canceled without prejudice, and therefore claims 11-13, 15, 18-19, 23, 25, 27 and 29-45 are pending.

With respect to paragraph twelve (12) of the Office Action, Applicants thank the Examiner for indicating that claims 11, 14-18, 24, 25, 27 and 29 are allowable if the 112 rejections are overcome. While the rejections may not be agreed with, to facilitate matters, claims 20-22, 26 and 28 are canceled without prejudice. As to claims 14, 16 and 17, these claims have been canceled without prejudice since their features have been included in new claims 30 (claims 10 and 14), 31 (claims 10 and 16) and 39 (claims 10 and 17), respectively.

New claims 30, 31 and 39 do not add any new matter and are supported by the present application, including the specification, and claims 30, 31 and 39 are allowable (as are their respective dependent claims) for the above-explained reasons.

Also, claims 11-13, 15, 18-19, 23, 25 and 29 now reflect updated dependencies relative to claim 30 (which includes the features of canceled claims 10 and 14). Claims 32-38 and 40-45 include the features of the dependent claims of claim 30, except that claims 32-38 and 40-45 respectively depend from new claims 31 (claim features of canceled claims 10 and 16) and 39, respectively.

With respect to paragraph three (3), claims 20-22, 26 and 28 were rejected under 35 U.S.C. § 112, first paragraph, as to the written description requirement.

While the rejections may not be agreed with, to facilitate matters, these claims have been canceled without prejudice, and it is therefore respectfully requested that the written description rejections be withdrawn as moot.

With respect to paragraph six (6), claims 10-29 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

Claims 30, 31 and 39 include the feature in which the "cermet electrode includes a metallic component." Claims 13, 23, 34, 36, 42 and 44 include the feature in which the "metallic component is at least one of gold and silver." It is submitted that the claims as presented overcome the indefiniteness rejections as to the cermet electrode, as these claims reflect the suggestions in paragraphs seven (7) and eight (8) of the present office action. It is therefore respectfully requested that the indefiniteness rejections be withdrawn in view of the foregoing.

With respect to paragraph ten (10), claims 10, 12, 13, 19 and 23 were rejected under 35 U.S.C. § 102(b) as anticipated by Fukushima et al., U.S. Patent No. 4,720,335.

While the rejections may not be agreed with, to facilitate matters, claim 10 has been canceled without prejudice since its features have been included in new claim 30, together with the features of canceled claim 14, as explained above, and it is therefore respectfully requested that the anticipation rejections be withdrawn. Dependent claims 12, 13, 19 and 23 now depend from allowable claim 30, as explained above.

With respect to paragraph twelve (12), Applicants submit that claims 30, 31 and 39 contain patentable subject matter, as noted above. Therefore, withdrawal of the present objection is respectfully requested.

Accordingly, claims 11-13, 15, 18, 19, 23, 25, 27 and 29-45 are allowable.

CONCLUSION

In view of the foregoing, it is respectfully submits that all of claims 11-13, 15, 18, 19, 23, 25, 27 and 29-45 are allowable. It is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,
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Dated: 1/21/2005

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